

Voter Information Bulletin

Town of Douglas

May 2008

Special Town Meeting Annual Town Meeting

Monday, May 5, 2008 at 7:00 PM
Douglas High School Auditorium

Finance Committee Budget Message for Fiscal Year 2009

The FY 2009 Budget will be funded by the projected revenues below:

<u>FY08-FY09 change</u>	<u>Revenue Source</u>	
\$402,905	Tax Levy -	\$9,519,083
(\$81,768)	Debt exclusions -	\$1,741,910
\$30,400	Local receipts -	\$1,387,400
\$785,001	State Aid -	\$8,957,545
\$5,000	Wetlands Protection	\$5,000
\$9,810	Sale of Lots	\$9,810
\$14,480	Ambulance Receipts -	\$282,885
(\$4,733)	Chamberlain Land -	\$17,119
(\$229,282)	Free Cash -	\$370,718
(\$171,500)	Stabilization -	
\$115	P.O. Applied to Debt	\$29,585
		=====
	TOTAL Available Revenue	\$22,321,055

Shown in the table above are the changes in each revenue source from the current 2008 Fiscal Year. In terms of the tax levy, the 2 ½ percent change for this year equates to an increase of \$227,905, and when combined with the taxable new growth of \$175,000, results in \$402,905 of new revenues. The new growth figures are generally flat from the prior year and continue to reflect the malaise in the local housing market. Local receipts are also relatively flat year over year.

The Town continues to depend heavily on the State for Chapter 70 Aid for our schools as well as Payments in Lieu of Taxes for State Owned Land. After reducing the State Aid by Assessments and Charges, the increase is expected to be \$785,001. The introduction of Full day kindergarten at the school this past year has been a significant driver of the increased state funding, as it drove a significant increase in the student population used as a driver of the funding.

It should be noted that the proposed budget continues to rely on \$370,718 of free cash but continues a multi-year trend of reducing the Town's dependence on this funding source. In addition, unlike the prior year when \$171,500 of stabilization was used to fund text books for the school department, there is no use of stabilization funds to support the operating budget of the Town for 2009.

The Fiscal 2009 budget presents many challenges for the Town of Douglas. The Town is dealing with the negotiation of several union contracts for municipal employees, while facing the rising costs of energy and health insurance. Against this backdrop of escalating costs, the 2009 budget seeks to provide level service to the community, while maintaining the current assets and infrastructure of the Town.

While the expense pressures on the budget are great, there are no opportunities for an increase to revenues without an override to Proposition 2 ½. These challenging economic times will require disciplined fiscal management, as budgets have become tighter and there is expected to be lower free cash amounts available.

The Finance Committee appreciates the cooperation it received from the various Town departments over the course of the budget process and is pleased to recommend a balanced budget to the citizens of Douglas. It should be pointed out that the budget recommended by the Finance Committee while generally consistent with that recommended by the Board of Selectmen, does differ in respect of the specific recommendations within Public Safety departments. The Board of Selectmen had recommended reduced funding in the Building Department with an equivalent increase in funding for the Fire Department. The Finance Committee was concerned that the reduction of service levels within the Building Department that was recommended by the Board of Selectmen was inconsistent with the Town's objective of creating an environment to support commercial and residential growth in the Town and questioned whether it would result in savings to the Town. The Finance Committee recognized that the Fire and Ambulance Departments have monies in their FY09 budgets to perform a study of future needs and believes that such a study should be completed prior to committing additional funds.

The Key FY09 Budget Facts are as follows:

All Municipal budget changes total = \$ 385,247
Total Education budget changes = \$ 451,738
Health Insurance premiums increase 7.9%
Non-Union Cost of Living Adjustment Budgeted 3.0%
Overall budget increase 3.9%
Total FY09 available revenues change = \$ 700,353

In addition to the budget, there are other important articles outlined in this flyer that will be voted upon at the May Town Meeting. We encourage your attendance and participation.

Todd Bari for the Douglas Finance Committee

Special Town Meeting
Monday, May 5, 2008
Douglas High School Auditorium

Article 1:	Prior Year Bills
Article 2.	Unemployment Expenses
Article 3	Sick Leave Buyback
Article 4	Town Counsel
Article 5	Snow and Ice

Article 1. Prior Year Bills:

To see if the Town will vote to transfer from available funds the sum of **\$380** to pay for the following prior year's bill:

Health Resources - \$380

Or take any other action related thereto.

Explanation: These bills are from fiscal year 2007 and have not been paid due to timing of invoice processing. This article would transfer amounts from the Highway Admin Expense account to pay for the prior year bills.

Finance Committee: RECOMMEND

Article 2. Unemployment Expenses:

To see if the Town will vote to transfer from available funds the sum of **\$35,000** to Unemployment Expenses, or take any other action related thereto.

Explanation: The unemployment expenses this year have been higher than anticipated. This article would transfer amounts from the Heath Insurance Account to fund the additional unemployment expenses.

Finance Committee: RECOMMEND

Article 3. Police Wages – Sick Leave Buyback:

To see if the Town will vote to transfer from available funds the sum of **\$9,000** to Police Wages, or take any other action related thereto.

Explanation: Under the Police contract the Town is obligated to buy back unused sick leave upon the retirement of officers. This year there are two retirements and this article would provide funding beyond that which is available in the existing Police budget.

Finance Committee: RECOMMEND

Article 4. Town Counsel

To see if the Town will vote to transfer from available funds the sum of **\$25,000** to Town Counsel, or take any other action related thereto.

Explanation: The legal counsel expenses this year have been higher than anticipated. This article would transfer \$20,000 from various town accounts and utilize \$5,000 from Free Cash to fund the additional town counsel expenses.

Finance Committee: RECOMMEND

Article 5. Snow and Ice

To see if the Town will vote to transfer from available funds the sum of **\$245,000** to the Snow and Ice Account, or take any other action related thereto.

Explanation: The volume of expenses associated with snow and ice removal this winter have been unprecedented due to the number of snow and ice incidents. This article would fund the additional expenses from Free Cash.

Finance Committee: RECOMMEND

Annual Town Meeting
Monday, May 5, 2008
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1. Finance Committee Report	13. ZBA - MGL Chapter 44, § 53E ½
2. FY09 Budget	14. Acceptance of c.41 §100G1/4 – Payment of funeral and burial expenses of firefighters and police officers killed in performance of duties
3. Salaries of Elected Officials	15. Street Acceptance: Fairway View Estates – Fairway View Drive
4. FY09 Transfer Station Enterprise Fund	16. Street Acceptance: Hilltop Estates – Hill Top Drive
5. FY09 Water/Sewer Enterprise Fund	17. Street Acceptance: Whispering Pine Subdivision – New Port Drive
6. Personnel Bylaw Classification & Update	18. Open Government Bylaw
7. Recurring Business	19. Bylaw Change – Article 2, Section 5(b)
8. Acceptance of Easements	20. Municipal Storm Drainage Bylaw
9. Adoption of Revised FY 09 – 14 Capital Improvement Plan	21. 43D Bylaw Change – Expedited Permitting
10. School Building Article	22. Planning Board Report
11. Planning Board & Engineering – MGL Chapter 44, § 53E ½	23. Building & Facilities Committee Report
12. Conservation – MGL Chapter 44, § 53E ½	

Article 1. Finance Committee Report:

To see if the Town will vote to hear and act upon the report and recommendations of the Finance Committee as presented and printed in the Finance Committee's Annual Town Meeting recommendations, or to take any other action related thereto.

Explanation: This will be part of a combination of Articles 1, 2 and 3. It presents the Finance Committee's recommended FY 09 budget along with funding sources and the embedded salaries and stipends of elected officials.

Finance Committee: RECOMMEND

Article 2. FY09 Budget:

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow such sums of money as are necessary to fund the annual operating budget of the Town for Fiscal Year 2009, or take any other action related thereto.

Explanation: See Article 1 above.

Finance Committee: RECOMMEND

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
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General Fund

General Government

Selectmen

Wages	162,404	166,819	174,266	174,266	174,266
Expenses	24,745	23,995	23,995	23,995	23,995
Expenses - Reserve for Collective		transferred to Police Salaries	50,000	50,000	50,000
	187,149	190,814	248,261	248,261	248,261
Awards & Recognition	100	100	100	100	100
Town Hall Office Supplies	20,000	20,000	19,216	19,216	19,216
Town Reports	3,500	3,500	3,500	3,500	3,500
Town Counsel	85,000	85,000	95,000	95,000	95,000
Total Selectmen:	295,749	299,414	366,077	366,077	366,077

Accountant

Wages	87,080	82,932	86,383	86,383	86,383
Expenses	4,750	4,000	4,000	4,000	4,000
	91,830	86,932	90,383	90,383	90,383
Audit	21,000	21,000	20,500	19,500	19,500
Total Accountant:	112,830	107,932	110,883	109,883	109,883

Assessors

Wages	97,739	101,494	101,494	101,494	101,494
Expenses	20,285	43,810	44,173	44,173	44,173
	118,024	145,304	145,667	145,667	145,667
Revaluation	67,950				
Total Assessors:	185,974	145,304	145,667	145,667	145,667

Treasurer

Wages	94,416	99,123	102,095	102,095	102,095
Expenses	25,380	25,380	25,380	25,380	25,380
	119,796	124,503	127,475	127,475	127,475
Tax Title	9,000	5,000	5,000	5,000	5,000
Total Treasurer:	128,796	129,503	132,475	132,475	132,475

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
General Fund					
Collector					
Wages	57,078	59,137	60,670	60,670	60,670
Expenses	18,213	18,442	18,966	18,966	18,966
	75,291	77,579	79,636	79,636	79,636
Tax Taking	6,500	6,500	6,500	6,500	6,500
Total Collector:	81,791	84,079	86,136	86,136	86,136
Finance Committee					
Wages	2,500	2,500	2,500	2,500	2,500
Expenses	7,000	7,000	7,000	7,000	7,000
Reserve Fund	13,139	55,000	40,000	40,000	40,000
Total Fin Com:	22,639	64,500	49,500	49,500	49,500
Technology					
Wages	11,300	10,300	10,300	10,300	10,300
Expenses	43,530	34,883	39,200	39,200	39,200
Total Technology:	54,830	45,183	49,500	49,500	49,500
Town Clerk					
Wages	81,368	86,127	88,905	88,905	88,905
Expenses	20,585	19,185	19,185	19,185	19,185
Total Town Clerk:	101,953	105,312	108,090	108,090	108,090
Municipal Buildings					
Wages	47,676	49,965	49,965	49,965	49,965
Expenses	113,760	118,660	129,445	129,445	129,445
Total Municipal Building:	161,436	168,625	179,410	179,410	179,410
Permanent Building Committee					
Wages		1,550	1,220	1,220	1,220
Expenses		1,000	1,000	1,000	1,000
Total Perm. Bldg Com:	0	2,550	2,220	2,220	2,220
Community Development					
Wages	176,429	185,426	184,550	184,550	184,550
Expenses	8,650	7,805	7,805	7,805	7,805
	185,079	193,231	192,355	192,355	192,355
Planning Board	10,572	17,326	8,410	8,410	8,410
Master Plan Implementation	4,800				
Economic Development	7,500	7,500	7,500	7,500	7,500
Zoning Board - Wages	9,000	9,000	9,000	9,000	9,000

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
General Fund					
Zoning Board - Expenses	4,115	4,115	4,115	4,115	4,115
	13,115	13,115	13,115	13,115	13,115
Open Space	1,000	1,000	1,000	1,000	1,000
Conservation Commission	3,260	3,260	3,260	3,260	3,260
Total Comm Dev.:	225,326	235,432	225,640	225,640	225,640
Other General Government					
Moderator	250	250	250	250	250
Octoberfest	1,500	1,500	1,500	1,500	1,500
Housing Authority	1,500	3,000	3,000	3,000	3,000
Total Other Gen. Govt:	3,250	4,750	4,750	4,750	4,750
Total Gen. Government:	1,374,575	1,392,584	1,460,348	1,459,348	1,459,348
Public Safety					
Police					
Wages	1,205,074	1,281,951	1,375,404	1,348,092	1,348,092
Expenses	151,050	163,445	185,420	185,420	185,420
Cruiser	42,500	42,500	51,000	49,000	49,000
Total Police:	1,398,624	1,487,896	1,611,824	1,582,512	1,582,512
Fire					
Wages	156,296	174,709	186,912	215,527	186,912
Expenses	55,700	60,100	71,400	73,900	73,900
Total Fire:	211,996	234,809	258,312	289,427	260,812
Ambulance					
Wages	140,779	181,835	189,765	189,765	189,765
Expenses	53,200	51,200	59,300	61,800	61,800
Total Ambulance:	193,979	233,035	249,065	251,565	251,565
Building Dept					
Wages	108,121	120,434	120,434	91,819	120,434
Expenses	6,850	8,000	8,000	8,000	8,000
Total Building Dept:	114,971	128,434	128,434	99,819	128,434
Trees					
Wages	600	600	600	600	600
Expenses	6,600	6,600	6,600	6,600	6,600
Total Tree Dept:	7,200	7,200	7,200	7,200	7,200

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
General Fund					
Civil Defense					
Wages	315	315	325	325	325
Expenses	1,200	1,200	1,200	1,200	1,200
Total Civil Defense:	1,515	1,515	1,525	1,525	1,525
Sealer Weights & Measures					
Expenses	1,500	1,500	1,500	750	750
Total Sealer Weights & Measures:	1,500	1,500	1,500	750	750
Animal Control					
Expenses		24,900	24,900	24,900	24,900
Total Animal Control		24,900	24,900	24,900	24,900
Total Public Safety:	1,929,785	2,119,289	2,282,760	2,257,698	2,257,698
Public Works Cemetery					
Expenses	16,500	10,000	23,910	23,910	23,910
Total Cemetery:	16,500	10,000	23,910	23,910	23,910
Highway					
Wages	424,916	427,430	446,276	446,276	446,276
Expenses	32,150	34,150	39,325	39,325	39,325
	457,066	461,580	485,601	485,601	485,601
Maintenance	175,330	169,937	177,330	177,330	177,330
Special Sign Acct	6,000	6,000	6,000	6,000	6,000
Snow & Ice	84,535	84,535	84,535	84,535	84,535
Total Highway:	722,931	722,052	753,466	753,466	753,466
Other Public Works					
Monitor Landfill	2,000	1,200	1,300	1,300	1,300
Monitor Wells	11,000	11,000	11,000	11,000	11,000
Street lighting	39,000	41,000	41,000	41,000	41,000
Total Other Pub. Works:	52,000	53,200	53,300	53,300	53,300
Total Public Works:	791,431	785,252	830,676	830,676	830,676

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
General Fund					
Health & Human Services					
Board of Health					
Wages	41,977	44,007	44,007	44,007	44,007
Expenses	11,440	10,840	10,840	10,840	10,840
	53,417	54,847	54,847	54,847	54,847
Nurse					
Wages	16,612	17,027	17,027	17,027	17,027
	16,612	17,027	17,027	17,027	17,027
Animal Inspection					
Wages	2,561	2,625	2,625	2,625	2,625
Expenses	300	350	350	350	350
	2,861	2,975	2,975	2,975	2,975
Total Board of Health:	72,890	74,849	74,849	74,849	74,849
Council on Aging					
Wages	62,357	72,966	72,966	72,966	72,966
Expenses	7,542	11,542	15,915	15,915	15,915
Total Council on Aging:	69,899	84,508	88,881	88,881	88,881
Veterans					
Expenses	9,466	11,166	10,015	10,015	10,015
Benefits	14,000	9,000	15,000	15,000	15,000
Total Veterans:	23,466	20,166	25,015	25,015	25,015
Total Hlth & Hum Servs:	166,255	179,523	188,745	188,745	188,745
Culture & Recreation					
Recreation					
Wages	6,400	6,400	6,400	6,400	6,400
Expenses	27,031	27,031	27,031	27,031	27,031
Total Recreation:	33,431	33,431	33,431	33,431	33,431
Library					
Wages	124,990	135,069	136,962	136,962	136,962
Expenses	53,409	57,531	58,176	58,176	58,176
Total Library:	178,399	192,600	195,138	195,138	195,138
Memorial Day	1,593	1,750	1,750	1,750	1,750
	1,593	1,750	1,750	1,750	1,750
Total Culture & Rec:	213,423	227,781	230,319	230,319	230,319

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
General Fund					
Education					
Douglas Schools					
Personnel & Expenses	10,290,475	10,192,599	10,976,325	10,643,421	10,643,421
Transpor./Fixed Assets	0	719,993	711,256	711,256	711,256
Total Douglas Schools:	10,290,475	10,912,592	11,687,581	11,354,677	11,354,677
Blackstone Valley Regional					
Assessment	559,070	509,246	457,510	457,510	457,510
Debt Assessment	64,190	63,350	62,231	62,231	62,231
Representative Expense	500	500	500	500	500
Total Blackstone Valley:	623,760	573,096	520,241	520,241	520,241
Medicaid Reimbursement		5,000	5,000	5,000	5,000
Norfolk Cnty Agricultural	17,527	0	62,508	62,508	62,508
Total Education:	10,931,762	11,490,688	12,275,330	11,942,426	11,942,426
Insurance/Employee Benefits					
Ins - Prop, Liab & Work Comp	180,000	180,000	190,000	190,000	190,000
Unemployment	30,000	50,000	30,000	30,000	30,000
Ins - Health & Life	2,016,148	2,215,336	2,390,349	2,390,349	2,390,349
Retirement/Medicare	655,385	710,940	812,499	783,534	783,534
Total Employee Benefits	2,881,533	3,156,276	3,422,848	3,393,883	3,393,883
Total Debt Service	1,984,009	2,032,677	1,917,960	1,917,960	1,917,960
Total Capital Outlay	404,737	225,500			
Total Special Articles	53,582	445			
Transfer to Stabilization	172,915				
Summary - Expenditures					
Total Gen. Government:	1,374,575	1,392,584	1,460,348	1,459,348	1,459,348
Total Public Safety:	1,929,785	2,119,289	2,282,760	2,257,698	2,257,698
Total Public Works:	791,431	785,252	830,676	830,676	830,676
Total Hlth & Human Serv:	166,255	179,523	188,745	188,745	188,745
Total Culture & Rec.:	213,423	227,781	230,319	230,319	230,319
Total Education:	10,931,762	11,490,688	12,275,330	11,942,426	11,942,426
Total Employee Benefits	2,881,533	3,156,276	3,422,848	3,393,883	3,393,883

	FY07 Actual Revised Budget	FY08 Actual Revised Budget	FY09 Level Service Dept. Request	FY09 BOS Recommended Budget	FY09 Fin Com Recommended Budget
General Fund					
Total Debt Service	1,984,009	2,032,677	1,917,960	1,917,960	1,917,960
Total Capital Outlay	404,737	225,500	0	0	0
Total Special Articles	53,582	445	0	0	0
Total Transfer to Stabilization	172,915	0	0	0	0
Total Budget Request	20,904,007	21,610,015	22,608,986	22,221,055	22,221,055

Article 3. Salaries of Elected Officials:

To see if the Town will vote to fix the salary and compensation of all elected officials of the Town as provided by Chapter 41 Section 108 of the Massachusetts General Laws, as amended, as follows:

Board of Assessors	\$2,900.00
Blackstone Valley Vocational School District Rep.	\$500.00
Collector	\$53,621.60
Moderator	\$250.00
Board of Selectmen	\$1,600.00
Clerk	\$56,366.21
Treasurer	\$59,854.25
Water/Sewer Commission	\$2,400.00

Explanation: See Article 1 above.

Finance Committee: RECOMMEND

Article 4. FY09 Transfer Station Enterprise Fund:

To see if the Town will vote to raise and appropriate and/or transfer the sum of **\$265,000** from Transfer Station charges and fees and **\$24,437** to be taken from Transfer Station retained earnings, for a total budget of **\$289,437.00** to operate and maintain the Transfer Station.

Salaries/Wages	\$ 40,157
Expenses	\$ 249,280
Total	\$ 289,437

Or take any other action related thereto.

Explanation: This approves funding sources and amounts for operating the Transfer Station in Fiscal Year 2009.

Finance Committee: RECOMMEND

Article 5. FY09 Water/Sewer Enterprise Fund:

To see if the Town will vote to raise and appropriate and/or transfer the sum of **\$671,577.00** from Water & Sewer charges and fees, transfer the sum of **\$264,997.00** from reserved for debt and transfer the sum of **\$66,413** from Retained Earnings for a total budget of **\$1,002,987** to operate and maintain the Water/Sewer Department.

Salaries/Wages	\$	283,488
Expenses	\$	454,502
Debt	\$	264,997
Total	\$	1,002,987

Or take any other action related thereto.

Explanation: This approves funding sources and amounts for operating the Water & Sewer Enterprise for Fiscal Year 2009.

Finance Committee: RECOMMEND

Article 6. Personnel Bylaw Classification & Update:

To see if the Town will vote to approve the following personnel classification and compensation plans; or to take any other action related thereto.

Explanation: This represents the proposed schedule for Fiscal Year 2009 as approved by the Personnel Board. It includes a 3% Cost of Living Adjustment for non-union employees covered by the Bylaw.

Finance Committee: RECOMMEND

MANAGEMENT			
MANAGEMENT Compensation Plan - FY09 Budget			
Grade	Position	Grade	Position
M-1		M-4	Fire Chief
			System Manager Water & Sewer
M-2			Town Accountant
M-3	Library Director	M-5	Hwy Superintendent

COLA Increase % 3%

	1	2	3	4	5	6	7	8	9	10
1	36,026.41	36,837.01	37,665.84	38,513.32	39,379.87	40,265.92	41,171.90	42,098.27	43,045.48	44,014.00
2	45,031.96	46,045.18	47,081.20	48,140.52	49,223.68	50,331.22	51,463.67	52,621.60	53,805.59	55,016.21
3	56,292.59	57,559.17	58,854.25	60,178.48	61,532.49	62,916.97	64,332.60	65,780.09	67,260.14	68,773.49
4	64,734.37	66,190.89	67,680.19	69,202.99	70,760.06	72,352.16	73,980.08	75,644.63	77,346.64	79,086.94
5	69,591.88	71,157.70	72,758.74	74,395.82	76,069.72	77,781.29	79,531.37	81,320.82	83,150.54	85,021.43

OFFICE ADMINISTRATIVE POSITIONS
OFFICE ADMINISTRATIVE Compensation Plan - FY09 Budget

Grade	Position	Grade	Position
OA-1	Meeting Minute Recorder	OA-3	Asst to the Town Accountant Recording Secretary
OA-2	Adm. Sec Bd Selectmen	OA-4	Adm. Asst. to Exec Adm./Select.

COLA Increase % 3%

Grade		1	2	3	4	5	6	7	8	9	10
1	Hourly	12.30	12.57	12.86	13.15	13.44	13.75	14.05	14.37	14.69	15.02
2	Hourly	14.77	15.10	15.44	15.79	16.15	16.51	16.88	17.26	17.65	18.04
3	Hourly	16.24	16.61	16.98	17.36	17.76	18.15	18.56	18.98	19.41	19.84
4	Hourly	18.67	19.09	19.52	19.96	20.41	20.87	21.34	21.82	22.31	22.81

PUBLIC WORKS POSITIONS
PUBLIC WORKS Compensation Plan - FY09 Budget

Grade	Position	Grade	Position
PM-1	Truck Driver/Laborer	PM-4	Group Leader
PM-2	Asst Water/Sewer Operator Hwy Laborer Operator	PM-5	Water Operator Chief Operator
PM-3			

COLA Increase % 3%

		1	2	3	4	5	6	7	8	9	10
1	Hourly	\$15.74	\$16.09	\$16.45	\$16.82	\$17.20	\$17.59	\$17.99	\$18.39	\$18.80	\$19.23
2	Hourly	\$17.18	\$17.57	\$17.96	\$18.37	\$18.78	\$19.20	\$19.63	\$20.08	\$20.53	\$20.99
3	Hourly	\$18.03	\$18.43	\$18.85	\$19.27	\$19.70	\$20.15	\$20.60	\$21.06	\$21.54	\$22.02
4	Hourly	\$18.92	\$19.35	\$19.78	\$20.23	\$20.68	\$21.15	\$21.62	\$22.11	\$22.61	\$23.12
5	Hourly	\$20.89	\$21.36	\$21.84	\$22.33	\$22.83	\$23.35	\$23.87	\$24.41	\$24.96	\$25.52

MISCELLANEOUS POSITIONS
MISCELLANEOUS Compensation Plan - FY09 Budget

Grade	Position	Grade	Position
MS-1	Transfer Station Employees	MS-3	
MS-2	Assessor Lister	MS-4	

COLA Increase % 3%

1	Hourly	\$12.30	\$12.57	\$12.86	\$13.15	\$13.44	\$13.75	\$14.05	\$14.37	\$14.69	\$15.02
2	Hourly	\$14.77	\$15.10	\$15.44	\$15.79	\$16.15	\$16.51	\$16.88	\$17.26	\$17.65	\$18.04
3	Hourly	\$16.24	\$16.61	\$16.98	\$17.36	\$17.76	\$18.15	\$18.56	\$18.98	\$19.41	\$19.84
4	Hourly	\$18.67	\$19.09	\$19.52	\$19.96	\$20.41	\$20.87	\$21.34	\$21.82	\$22.31	\$22.81

* All employees currently in the MS compensation classification who are currently receiving an hourly wage higher than that presented above for their relevant grade and step, shall remain at their current hourly wage until such time that the compensation plan exceeds their current hourly wage.

PUBLIC SAFETY
Public Safety Compensation Plan - FY09 Budget

Grade	Position	Grade	Position
PS-1	vacant	PS-5	Assistant Fire Chief Deputy Fire Chief
PS-2	Basic Call Fire Fighter Lt. Fire Fighter Part-time Dispatcher*	PS-6	Part-time EMT (on call)
PS-3	Part-time Reserve Officer* Captain Fire Fighter Part-time Reserve Clerk*	PS-7	
PS-4		PS-8	
		PS-9	

* Police part-time position have a one year probationary period.

COLA Increase % 3%

	1	2	3	4	5	6	7	8	9	10
1										
2	\$12.30	\$12.57	\$12.86	\$13.15	\$13.44	\$13.75	\$14.05	\$14.37	\$14.69	\$15.02
3	\$14.77	\$15.10	\$15.44	\$15.79	\$16.15	\$16.51	\$16.88	\$17.26	\$17.65	\$18.04
4	\$16.24	\$16.61	\$16.98	\$17.36	\$17.76	\$18.15	\$18.56	\$18.98	\$19.41	\$19.84
5	\$17.05	\$17.43	\$17.82	\$18.22	\$18.63	\$19.05	\$19.48	\$19.92	\$20.37	\$20.83
6	\$17.90	\$18.30	\$18.72	\$19.14	\$19.57	\$20.01	\$20.46	\$20.92	\$21.39	\$21.87
7	\$18.81	\$19.23	\$19.66	\$20.11	\$20.56	\$21.02	\$21.49	\$21.98	\$22.47	\$22.98
8	\$19.75	\$20.19	\$20.64	\$21.11	\$21.58	\$22.07	\$22.57	\$23.07	\$23.59	\$24.12
9	\$20.74	\$21.21	\$21.69	\$22.18	\$22.68	\$23.19	\$23.71	\$24.24	\$24.79	\$25.34

* All employees currently in the Public Safety compensation classification who are currently receiving an hourly wage higher than that presented above for their relevant grade and step, shall remain at their current hourly wage until such time that the compensation plan exceeds their current hourly wage.

Article 7. Recurring Business:

A. Assessor’s To Work Additional Hours: To see if the Town will vote to authorize the Board of Assessors to appoint one or more of their members to work for compensation, in accordance with the provisions of the Town’s Personnel Bylaw, and to establish such compensation to be paid said member for Fiscal Year 2009, or take any other action related thereto.

B. Ambulance Receipts Reserved for Appropriation: To see if the Town will vote to reserve all receipts received by the Town from ambulance user charges, user billings, and ambulance donations and gifts to the Ambulance Receipts Reserved Account, or take any other action related thereto.

C. Simon Fairfield Public Library: To see if the Town will vote to require that all funds received in Fiscal Year 2009 from State Aid Grants for the Public Library be transferred to a Special Account for the Simon Fairfield Public Library, or take any other action related thereto.

D. State and Federal Grants: To see if the Town will vote to authorize the Board of Selectmen to apply for and accept State or Federal grants they deem beneficial to the Town, provided that the Board of Selectmen shall hold a public hearing prior to the Board’s acceptance of any such grant, if said grant requires the Town to meet future conditions or requirements, or take any other action related thereto.

E. Separate Account Funds: To see if the Town will vote to continue the following account funds and to authorize the expenditure of funds from said fund for the below indicated purposes and not to exceed amount, or to take other actions related thereto:

#	Department	Receipts	Expenditures
1	Simon Fairfield Library pursuant to MGL Chapter 44, § 53E ½	All fines received during Fiscal Year 2009 by the Simon Fairfield Library	The Simon Fairfield Library Board of Trustees may expend a sum not to exceed Five Hundred dollars (\$500) for the purpose of purchasing books, films and other library supplies and materials.
2	Home Composting Program pursuant to MGL Chapter 44, § 53E ½	All receipts received in connection with the Home Composting Program	The Board of Health may expend a sum not to exceed two thousand five hundred dollars (\$2,500) for the purpose of operating the Home Composting Program.

F. Acceptance of Chapter 90: To see if the Town will vote to authorize to accept and enter into contracts for the expenditure of funds to be allotted by the State under authorization of Chapter 90 of the Massachusetts General Laws (as pertaining to Highway Funds), for the construction, reconstruction and improvement of Town roads, said funds may be borrowed in anticipation of State Revenue, and expended without further appropriation under the direction of the Highway Superintendent with the approval of the Board of Selectmen, or take any other action related thereto.

G. Compensating Balance Agreements: To see if the Town will vote to authorize the Treasurer to enter into a compensating balance agreement or agreements for Fiscal Year 2009 pursuant to MGL Chapter 44 § 53F, or take any other action related thereto.

Explanation: This multi-part article relates to the Town business that must be voted and approved on an annual basis. Most clauses are self-explanatory. Section G allows the Treasurer to negotiate and offset bank charges with interest rates earned.

Finance Committee: RECOMMEND

Article 8. Acceptance of Easements:

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, an easement or easements for the purpose of construction, installation, maintenance and repair of municipal drainage, sewer and water systems, and roadway, or take any other action related thereto.

Explanation: This will allow the Town to acquire rights to access property through a legal easement for purposes of road repair.

Finance Committee: RECOMMEND

Article 9. Adoption of Revised FY 09 – 14 Capital Improvement Plan:

To see if the Town will approve the Town of Douglas FY 09 – 14 Capital Improvement Plan as submitted by the Capital Improvement Committee, and to raise and appropriate, transfer, or borrow the sum of \$265,647 to fund the FY09 Capital Plan, or take any other action related thereto.

Explanation: This article outlines the Fiscal Year 2009 capital plan for the Town. The proposed funding for the capital projects is \$166,752 of Free Cash, \$59,636 of overlay surplus and \$39,259 from other available funds.

Finance Committee: RECOMMEND

Department	Item	Cost
Highway Department	Front End Loader	\$127,000
Community Development	New Sidewalk Construction	\$60,790
Fire Department	Dispatching Records Software	\$30,350
Highway Department	1 Ton Dump Truck w/Plow	\$47,507
Total		\$265,647

FY 2009 Capital Improvement Committee Report

The Capital Improvement Committee reviews, prioritizes and offers recommendations concerning all requests for funds for capital projects submitted by School and Town Departments. This year the Capital Committee reviewed eleven requests from six Departments.

The projects receiving the highest ranking and fitting in the allotted funding, appear in the Fiscal Year 2009 Capital Plan (Article # 9 and 10)

The FY 2009 Capital Plan listed below contains the department which made the requests, a project description and the project cost.

- 1- **School Department, Intermediate/ Elementary School Feasibility Study/ Owners Project Manager.** This is a competitive state grant program funded through the MSBA. The MSBA has invited the Town of Douglas to proceed with a feasibility study to build an addition to the Intermediate/Elementary School (housing elementary grades) and to renovate the existing building (housing middle school grades). One requirement is that an Owners Project Manager be hired to oversee the project. 54% of this phase of the project is reimbursable by the state. **Cost \$ 350,000.00 ** Funding From Stabilization Fund ** Article # 10**
- 2- **Highway Department, John Deere 544 3 Yard Front End Loader.** This piece of equipment is requested to replace the 1986 Front End Loader. This piece of equipment was scheduled for replacement last year. Due to funding restrictions the request was resubmitted this year. The old loaders engine had to be replaced last fall and transmission and rear end are in early stages of failure. **Cost \$ 127,000.00**
- 3- **Community Development, New Sidewalk Construction.** This item was proposed last year but was lacking a specific construction site. Given current funding limitations and in keeping with the

Towns Safety committee recommendations the site from Sunset Dr., East to 163 Main St. connecting to the existing sidewalk was chosen as the first to be undertaken. **Cost \$ 60,790.00**

- 4- **Fire Department, Fire Dispatch/ Records management Software.** The Fire department currently does not have a software package to dispatch, track or keep records of Fire and EMS related incidents in an efficient manner. Currently the Police department dispatches Fire and EMS calls, hand writing call times and relaying them to the Fire department by phone. This Fire software package would improve state reporting requirements, provide per loaded forms for Fire and EMS and reduce run turn around time spent by EMS personnel filling out patient information forms at the hospital. This software is the fire version of software currently used by the police department and would reside on the police file server. The cost also includes training of dispatch and fire personnel. **Cost \$ 30,350.00**
- 5- **Highway Department, 1 Ton Dump Truck W/ Plow.** Highway is requesting the addition of a 1 Ton Dump Truck W/Plow to reduce the use of larger trucks which are less efficient on many of the jobs performed. This addition will reduce fuel consumption and maintenance cost of operating a larger truck. **Cost \$ 47,507.00**
- *** **Water& Sewer Department /Community Development, Aquifer study.** A 1986 aquifer study identified eleven potential well sites in the community. Water and Sewer is proposing an updated review of the eleven sited to prioritize them for potential future well locations. Community Development will monitor proposed residential and commercial development in relation to Aquifer location. **Cost--Funded Through Water Sewer Enterprise Fund**

****The total FY 2009 Capital Improvement request is \$ 265,647.00**

**Update on the FY 2008 Capital Projects which were approved last year at annual town meeting.

- **Community Development, The National Pollutant Discharge Elimination System Permit, / Third year not required, Federal/State mandate satisfied, Funds encumbered pending reallocation.**
- **Fire Department, Pagers Portables Radios and Encoders / Purchased.**
- **Cemetery Commission, Pine Grove Cemetery Fencing / Completed**
- **Highway Department, International Dump Truck W/ Plow and Sander / Purchased**
- **Fire Department, Fire Station Exhaust System, / Project has gone out to bid.**

Fy-2009 to Fy-2014 Capital Plan			
Department	Item Requested	FY-Year	Estimated Cost
Fy-2009 Funded			
School Department	Intermediate/ Elementary Feasibility Study	2009	\$350,000.00
Highway Department	John Deere 544, 3 Yard Front End Loader	2009	\$127,000.00
Community Development	New Sidewalk Construction Rt. 16	2009	\$60,791.00
Fire Department	Fire Dispatching Software	2009	\$30,350.00
Highway Department	1Ton Dump Truck W/ Plow	2009	\$47,507.00
Water-Sewer/Community Dev.	Aquifer Study	2009	Enterprise Fund
Fy-2009 Not Funded			
Highway Department	International Dump Truck W/Plow & Sander	2009	\$131,000.00
Library	ADA & Building Upgrade	2009	\$992,800.00
Council on Aging	Improvements to Handicap Walkway	2009	
School Department	Freezer & Refrigerator Elementary School	2009	
School Department	Intermediate School AC & Air Handling Unit	2009	\$500,000.00
Recreation	Martin Rd. Park	2009	\$863,000.00
Community Development	Concept Design Plan/ Police, Highway, Fire	2009	\$75,000.00

Department Fy-2010	Item Requested	FY-Year	Estimated Cost
Highway Department	F250 4x4 Pickup Truck W/ 8' Plow	2010	\$34,727.00
Highway Department	Vactor Catch Basin Truck	2010	\$250,000.00
Highway Department	John Deere Backhoe	2010	\$160,000.00
Highway Department	Brush Chipper	2010	\$20,000.00
Building Maintenance	Municipal Center Roof Repair/Restoration	2010	\$90,000.00
Building Maintenance	Municipal Center Masonry Repair	2010	\$20,000.00
Building Maintenance	Municipal Center Boiler Replacement	2010	\$377,000.00
Community Development	New Sidewalk Construction	2010	TBD
Fy-2011			
Highway Department	Towable Air Compressor	2011	\$20,000.00
Highway Department	Salt/Sand Spreader 48" Sweeper & spray Kit	2011	\$13,300.00
Highway Department	Dump Truck W/ Plow & Sander	2011	\$131,000.00
Highway Department	Dump Truck W/ Plow & Sander	2011	\$131,000.00
Highway Department	Boom Flail Mower	2011	\$16,500.00
Fire Department	Rescue 1 Re-fit Body Only	2011	\$150,000.00
Fire Department	Rescue 1 Total Replacement	2011	\$400,000.00
Building Maintenance	Municipal Center Replace Old Electrical Sys.	2011	\$110,000.00
Building Maintenance	Post Officer Senior Ctr. Window Replacement	2011	\$100,000.00
Community Development	New Sidewalk Construction	2011	TBD
Police Department	New Police Station	2011	\$5.5 to 6.5 Million
Fy 2012			
Fire Department	Engine/Tanker # 4	2012	\$375,000.00
Fire Department	Ambulance # 2	2012	\$150,000.00
Highway Department	Dump Truck W/ Plow & Sander	2012	\$131,000.00
Building Maintenance	Paint Old Fire Station	2012	\$15,000.00
Building Maintenance	Municipal Ctr. Air conditioning Replacement	2012	\$25,000.00
Community Development	New Sidewalk Construction		TBD
Fy 2013			
Highway Department	Dump Truck W/ Plow & Sander	2013	\$131,000.00
Community Development	New Sidewalk Construction	2013	TBD
Fy 2014			
Fire Department	Car 1 Ford Explorer	2014	\$35,000.00
Community Development	New Sidewalk Construction	2014	TBD
Debt Exclusion Projects			
Police Department	New Police Station	2011	5.5 to 6.5 Million
Highway Department **On Hold**	New Highway Garage	2009	\$2,500,000.00
Recreation **On Hold**	Martin Road Recreation Area	2009	\$863,000.00
Library **On Hold**	ADA & Building Upgrade	2009	992,800.00

Article 10. School Building Project:

To see if the Town will vote to raise and appropriate, transfer from available funds the sum of **\$350,000** to be expended under the direction of the School Building Committee for the completion of a feasibility study and the hiring of an Owner's Project Manager for the renovation and addition to Douglas Intermediate Elementary School, for which feasibility study and Owner's Project Manager costs, the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town

incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

Explanation: This article would provide funding for a feasibility study. The feasibility study will be funded from stabilization and is expected to be 54% reimbursable.

Finance Committee: RECOMMEND

Article 11. Planning Board & Engineering – MGL Chapter 44, §53E ½ :

To see if the Town will vote to authorize a Planning Board and Engineering Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ . The purpose of this Fund is to cover the cost of consulting fees and project reviews; funding will come from consulting and project review fees and the funds may be expended without further appropriation by the Planning Board or Town Engineer for such consulting and project review costs. Expenditures from the fund may not exceed **\$50,000**, or take any other action related thereto.

Explanation: This is an annual approval to continue the authorization of this account and caps the amount of expenditures.

Finance Committee: RECOMMEND

Article 12. Conservation – MGL Chapter 44, §53E ½:

To see if the Town will vote to authorize a Conservation Revolving Fund in accordance with MGL Chapter 44, Section 53E ½. The purpose of this Fund is to cover the cost of consulting charges and project review costs; funding will come from application fees, consulting and project review fees and the funds may be expended without further appropriation by the Conservation Commission or their Conservation Agent for such consulting and project review costs. Expenditures from the Fund may not exceed **\$50,000**; or take any other action related thereto.

Explanation: This is an annual approval to continue the authorization of this account and caps the amount of expenditures.

Finance Committee: RECOMMEND

Article 13. Zoning Board of Appeals - MGL Chapter 44, §53E ½:

To see if the Town will vote to authorize a Zoning Board of Appeals Revolving Fund in accordance with MGL Chapter 44, Section 53E ½. The purpose of this Fund is to cover the cost of consulting fees and project reviews; funding will come from consulting and project review fees and the funds may be expended without further appropriation by the Zoning Board of Appeals for such consulting and project review costs. Expenditures from the fund may not exceed **\$50,000**; or take any other action related thereto.

Explanation: This is an annual approval to continue the authorization of this account and caps the amount of expenditures.

Finance Committee: RECOMMEND

Article 14. Acceptance of Chapter 41 Section 100G1/4:

To see if the Town will vote to accept the provisions of MGL Chapter 41, Section 100G1/4 – Payment of funeral and burial expenses of firefighters and police officers killed in performance of duties, or take any other action related thereto.

Explanation: This article would adopt the provisions of the law and allow the Town to provide payment of funeral and burial expenses of firefighters and police officers killed in performance of duties. The article does not provide funding.

Finance Committee: RECOMMEND

Article 15. Street Acceptance – Fairway View Estates:

To see if the Town will vote to accept as a public way “Fairway View Drive” as shown on the plan entitled “Layout Plan of Fairway View Drive” in Douglas, MA, property owned by Bliss Developers Realty Trust, and laid out by order of the Board of Selectmen and filed with the Town Clerk, and will further vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said way for all purposes for which public ways are used in the Town of Douglas, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisitions, on such terms and conditions as the Board of Selectmen deems appropriate or take any other action relative thereto.

Finance Committee: RECOMMEND

Article 16. Street Acceptance – Hilltop Estates:

To see if the Town will vote to accept as a public way “Hilltop Drive, Summit Circle, Pinnacle Way” as shown on the Plan entitled “Hilltop Estates” in the town of Douglas, Ma. Property owned by Joseph and Tedeschi Construction Inc. Whitinsville, Ma. And laid out by the order of the Board of Selectmen and filed with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said ways for all purposes for which public ways are used in the Town of Douglas, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisitions, on such terms and conditions as the Board of Selectmen deems appropriate, or take any other action thereto.

Finance Committee: RECOMMEND

Article 17. Street Acceptance – Whispering Pines Subdivision:

To see if the Town will vote to accept as a public way “Newport Drive” as shown on the plan entitled, “Layout Plan of Newport Drive” in Douglas, MA, property owned by R&A Realty Corporation, and laid out by order of the Board of Selectmen and filed with the Town Clerk, and will further vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said way for all purposes for which public ways are used in the Town of Douglas, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisitions, on such terms and conditions as the Board of Selectmen deems appropriate or take any other action relative thereto.

Finance Committee: RECOMMEND

Article 18. Open Government Bylaw:

To see if the Town will vote to add the following Bylaw to the Town General Bylaws; or take any other action related thereto:

Finance Committee: RECOMMEND

Article 2: Administration and Finance, Section 10: Open Government

a. Purpose

The Government of the Town of Douglas operates for the best interests of the residents of Douglas. The residents of Douglas deserve excellent access to the key operations of their Government. The Government of the Town of Douglas functions best in an open environment. This bylaw establishes certain minimum standards by which the operations of the Government of the Town of Douglas shall be made available to the Public by their Government.

b. Definitions

- 1. Committees: All governmental bodies subject to the Open Meeting Law

2. Executive Administrator: The person appointed to the role of Executive Administrator of the Town, or any such successor position.
3. Town Web Site: An electronic publishing system under the direction of the Executive Administrator, known at the time of this article as www.DouglasMA.org, or any successor to this system. The Executive Administrator shall be responsible for providing adequate training to Committees and Employees regarding the use of this system. The Executive Administrator shall define standards for the publishing of information described by this bylaw, and distribute these standards to all Committees no less than every two years. Information added to the Town Web Site under this bylaw shall remain available to the public for no less than the relevant Retention Periods set forth by the Secretary of the Commonwealth.

c. Meeting Minutes

1. All Town Committees shall file minutes of each of their public meetings with the Town Clerk within 70 days of that meeting. Such filing shall be in common electronic form unless the person preparing these minutes does not prepare said minutes in electronic form, in which paper format is acceptable. The Town Clerk shall keep these minutes readily available for public inspection for a period of not less than one year, and shall archive all documents electronically for no less than the relevant Retention Periods set forth by the Secretary of the Commonwealth.
2. All Town Committees shall add minutes of each of their public meetings to the Town's Web Site within 70 days of that meeting, in a manner consistent with formats defined by the Executive Administrator. If the person preparing said minutes does not prepare said minutes in any electronic form, or the Committee does not have the capability to add meetings to the Town's Web Site, the minutes filed with the Town Clerk shall be accompanied by notice to this effect, in which case the Town Clerk shall be responsible for adding said minutes to the Town Web Site.
3. If a Committee has not approved the minutes of a meeting within 70 days following that meeting, the Committee shall publish and distribute unapproved meeting minutes of that meeting in accordance with this bylaw. These unapproved meeting minutes shall be replaced by approved minutes within 30 days of their approval.
4. If a Committee's minutes include matters held legally under Executive Session, the minutes of and only of the Executive Session shall not be provided to the Clerk or added to the Town Web Site. The minutes of the public session, including the motion to enter the Executive Session, are public and shall be published and distributed consistent with this bylaw. When Executive Session minutes are released, they shall be published and distributed consistent with this bylaw within 30 days following their release.

d. Public Meetings

1. The Town Clerk shall publish the date, time, and location of all meetings posted in accordance with the Open Meeting Law on the Town Web Site.
2. The Town Clerk shall not be required to publish information regarding meetings scheduled more than ninety days in advance.

e. Open Government Coordinator

1. The Executive Administrator shall annually appoint one or more persons to the unpaid position of Open Government Coordinator.
2. The Open Government Coordinator shall, no less than annually:
 - a. Review compliance with this bylaw.
 - b. Make non-binding written recommendations on improving the public's access to Government, and supply these recommendations to the Executive Administrator, Board of Selectmen, and Town Clerk.
 - c. Publish information regarding the above review and recommendations for inclusion in the Town's Annual Report and on the Town Web Site.

f. General Provisions

1. This bylaw shall in no way be interpreted to conflict with the Massachusetts Open Meeting Law, Public Records Law, or any other state or federal law.
2. This bylaw shall be in full force and effect as of January 1, 2009.

Article 19. Amendment to Administration and Finance Bylaw:

To see if the Town will vote to amend Section 5(b) of Article 2 of the General Bylaws by deleting the words "on or about April 1st" and inserting the words "before the date of the Annual Town Meeting", or take any other action related thereto.

Explanation: This relates to the Annual Town Report and clarifies the date it should be available to the public.

Finance Committee: RECOMMEND

Article 20. Municipal Storm Drainage Bylaw:

To see if the Town will vote to add the following Bylaw to the Town General Bylaws; or take any other action related thereto.

Finance Committee: RECOMMEND

**ARTICLE 11: MUNICIPAL STORM DRAIN SYSTEM BYLAW
SECTION 1: PURPOSE**

- A. Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.
- B. Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of the town's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.
- C. The objectives of this by-law are:
 - 1. to prevent pollutants from entering the town's municipal separate storm sewer system (MS4);
 - 2. to prohibit illicit connections and unauthorized discharges to the MS4;
 - 3. to require the removal of all such illicit connections;
 - 4. to comply with state and federal statutes and regulations relating to stormwater discharges; and
 - 5. to establish the legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

SECTION 2: DEFINITIONS

- A. For the purposes of this by-law, the following shall mean:
 - 1. AUTHORIZED ENFORCEMENT AGENCY: The Douglas Conservation Commission (hereafter The Commission), its employees or agents designated to enforce this by-law.
 - 2. BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.
 - 3. CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.
 - 4. DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

5. GROUNDWATER: Water beneath the surface of the ground.
6. ILLICIT CONNECTION: A surface or subsurface drain or conveyance that allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law.
7. ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 8. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 8. A. of this by-law.
8. IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.
9. MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Douglas, Massachusetts.
10. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT: A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.
11. NON-STORMWATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of stormwater.
12. PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.
13. POLLUTANT: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation:
 - a) paints, varnishes, and solvents;
 - b) oil and other automotive fluids;
 - c) non-hazardous liquid and solid wastes and yard wastes;
 - d) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
 - e) pesticides, herbicides, and fertilizers;
 - f) hazardous materials and wastes; sewage, fecal coliform and pathogens;
 - g) dissolved and particulate metals;
 - h) animal wastes;

- i) rock, sand, salt, soils;
 - j) construction wastes and residues; and
 - k) noxious or offensive matter of any kind.
14. **PROCESS WASTEWATER:** Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.
 15. **RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.
 16. **STORMWATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.
 17. **SURFACE WATER DISCHARGE PERMIT.** A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.
 18. **TOXIC OR HAZARDOUS MATERIAL or WASTE:** Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch. 21C and Ch. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.
 19. **WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.
 20. **WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.
 21. **WASTEWATER:** Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

SECTION 3: APPLICABILITY

This by-law shall apply to point or non-point flows entering the municipally owned storm drainage system.

SECTION 4: AUTHORITY

This bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR 122.34.

SECTION 5: RESPONSIBILITY FOR ADMINISTRATION

The Commission shall administer, implement and enforce this by-law. Any powers granted to or duties imposed upon The Commission may be delegated in writing by the Commission to employees or agents of The Commission.

SECTION 6: REGULATIONS

The Commission may promulgate rules and regulations to effectuate the purposes of this by-Law. Failure by the Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

SECTION 7: PROHIBITED ACTIVITIES

- A. Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal separate storm sewer system (MS4), into a watercourse, or into the waters of the Commonwealth.
- B. Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from The Commission.

SECTION 8: EXEMPTIONS

- A. Discharge or flow resulting from fire fighting activities.
- B. The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwaters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:
 - 1. Waterline flushing;
 - 2. Flow from potable water sources;
 - 3. Springs;
 - 4. Natural flow from riparian habitats and wetlands;
 - 5. Diverted stream flow;
 - 6. Rising groundwater;
 - 7. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
 - 8. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
 - 9. Discharge from landscape irrigation or lawn watering;
 - 10. Water from individual residential car washing;
 - 11. Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
 - 12. Dye testing for flow analysis, provided verbal notification is given to the the Commission prior to the time of the test;

13. Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
14. Discharge for which advanced written approval is received from the Commission as necessary to protect public health, safety, welfare or the environment.

SECTION 9: EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

The Commission may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

SECTION 10: NOTIFICATION OF SPILLS

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments. In the event of a release of non-hazardous material, the reporting person shall notify the Authorized Enforcement Agency no later than the next business day. The reporting person shall provide to the Authorized Enforcement Agency written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

SECTION 11: ENFORCEMENT

- A. The Commission or an authorized agent of The Commission shall enforce this by-law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.
- B. Civil Relief. If a person violates the provisions of this by-law, regulations, permit, notice, or order issued thereunder, the Commission may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- C. Orders. The Commission or an authorized agent of The Commission may issue a written order to enforce the provisions of this by-law or the regulations thereunder, which may include:
 - (1) elimination of illicit connections or discharges to the MS4;
 - (2) performance of monitoring, analyses, and reporting;
 - (3) that unlawful discharges, practices, or operations shall cease and desist; and
 - (4) remediation of contamination in connection therewith.
- D. If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

- E. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with The Commission within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of The Commission affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, 57 after the thirty-first day at which the costs first become due.
- F. Criminal Penalty. Any person who violates any provision of this by-law, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- G. Non-Criminal Disposition. "As an alternative to criminal prosecution or civil action, the Commission may elect to utilize the noncriminal disposition procedure set forth in G. L. c. 40, §21D, in which case the Conservation Commission Agent is authorized to be the enforcing person designated to issue non-criminal disposition penalties. The penalty for the first violation shall be \$300.00. The penalty for the second violation shall be \$300.00. The penalty for the third and subsequent violations shall be \$300.00. Each day of part thereof that such violation continues shall constitute a separate offense."
- H. Entry to Perform Duties Under this By-Law. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, The Commission, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this by-law and regulations and may make or cause to be made such examinations, surveys or sampling as The Commission deems reasonably necessary.
- I. Appeals. The decisions or orders of The Commission shall be final. Further relief shall be to a court of competent jurisdiction.
- J. Remedies Not Exclusive. The remedies listed in this by-law are not exclusive of any other remedies available under any applicable federal, state or local law.

SECTION 12: Severability

The provisions of this by-law are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this by-law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this by-law.

SECTION 13: Transitional Provisions

Residential property owners shall have 30 days from the effective date of the by-law to comply with its provisions provided good cause is shown for the failure to comply with the by-law during that period.

Article 21. 43D Bylaw Change:

To see if the Town will vote to amend the Douglas Bylaws by adding a new Section 7 in Article 5, Regulation of Property, as follows:

Explanation: This article amends the Douglas Bylaws in respect of expedited permitting.

Finance Committee: RECOMMEND

SECTION 7: Expedited Permitting of Priority Development Sites

a. Purpose

The purpose of this Bylaw is to set forth the procedural requirements for the expedited permitting of "Priority Development Sites," for use by potential project applicants, the Technical Review Team and the boards and commissions of the Town of Douglas. This Bylaw should be read in conjunction and harmony with G.L. c. 43D and 400 CMR 2.00, et seq. In the event of a conflict between this by-law and said statute and/or regulations, the latter shall control.

The intent of this Bylaw, said statute and said regulations is to encourage the applicant and the municipality to work together to make the permitting process more efficient and timely. As such, applicants are encouraged to submit preliminary applications and final applications in a manner which is as complete and fulsome as is possible and which will better enable the municipality to act in a more efficient manner.

b. The Expedited Permitting Program

The Expedited Permitting Program created by G.L. c. 43D provides communities adopting it with a tool for targeted economic development at locations zoned for commercial, industrial and/or mixed-use projects. By designating appropriate areas "Priority Development Sites" and creating a streamlined 180-day permitting process therefore, the Town of Douglas aims to attract responsible development. The Expedited Permitting Program shall be employed as per G.L. c. 43D, 400 CMR 2.00, et seq., all applicable General Bylaws and the Zoning Bylaw.

c. Pre-application Procedure

1. Technical Review Team

The Technical Review Team is an informal five-member working group consisting of the chairperson, or his/her designee, of each of the following boards/commissions: the Planning Board, the Conservation Commission, Board of Health, Water and Sewer Commission and the Economic Development Commission. The Technical Review Team shall NOT include a member of the Zoning Board of Appeals.

In addition to the specific review requirements set forth in Sections (c) 2-6 below, the duties of the Technical Review Team shall include but not be limited to the following:

- i.. solicit consultants annually to provide a pool of consultants which will be prepared to work with the Technical Review Team and any other board or commission reviewing a Priority Development Site Application(s);
- ii.. meet in an expeditious and timely manner upon receipt or a request for a preliminary review or upon receipt of a Priority Development Site Project Application;
- iii . determine all permits, reviews and predevelopment reviews required for a project;
- iv. distribute all applications to the appropriate boards and/or commissions as expeditiously as possible and without delay; and
- v. render decisions expeditiously.

2. Preliminary Review

Prior to submission of application(s) for the development of a Priority Development Site, an applicant shall request, in writing, a meeting with the Technical Review Team to identify

permits and/or approvals required for the project. In addition to other preliminary explanatory material, the Applicant shall provide a concept plan as part of the preliminary review. Said meeting shall occur no later than fourteen (14) days following submission of a written request by the applicant to the Economic Development and Permit Coordinator. It is the responsibility of the Economic Development and Permit Coordinator to forward said request to the Technical Review Team.

3. Priority Development Site Project Application

Following the meeting set forth in paragraph 2 above, an applicant shall complete the PDS Project Application which requires identification of all applications for permits and/or approvals submitted therewith along with all other required applications. It shall be the responsibility of the Town Clerk to maintain the PDS Project Application. Upon completion, the PDS Application and all identified and completed applications for permits and/or approvals and the necessary application fees shall be submitted to the Town Clerk. The Applicant shall be required to submit the requisite number of copies of each application according to the requirements of the appropriate board or commission. The Applicant shall be required to submit the number of copies of the Priority Development Site Application as determined from time to time by the Economic Development and Permit Coordinator. It is the responsibility of the Town Clerk to forward said materials to the Technical Review Team.

4. Application Fee

In addition to payment of the fees imposed by the boards and/or commissions in carrying out their permitting and/or project review responsibilities, an Applicant shall be required to pay a Priority Development application fee according to the fee schedules of the appropriate boards together with its submission of the PDS Project Application. Said Fee may be changed from time to time by a majority vote of the Board of Selectmen or other appropriate Board/Committee.

5. Completeness Review

Upon receipt of a PDS Project Application and all required applications for permits and/or approvals, the Technical Review Team shall provide one (1) copy thereof to the Economic Development and Permit Coordinator and one (1) copy to a technical consultant which shall be selected by the Team. Within twenty (20) business days following submittal of said materials, the Technical Review Team shall complete a two-part completeness review. First, the Team shall perform an administrative assessment of the PDS Application and accompanying application(s). Second, the Team shall solicit feedback from the technical consultant as to the technical completeness of the PDS Application and all other accompanying application(s).

6. Notice of Completeness

The Technical Review Team shall notify the applicant by certified mail as to the completeness of the PDS Application and applications submitted therewith and, if determined to be incomplete, provide an explanation as to the basis for said determination prior to the expiration of twenty (20) business days. Said determination of completeness shall be by a unanimous vote of the Technical Review Team. If the Team fails to provide notification within twenty (20) business days from the applicant's date of submission, the Form and application(s) shall be deemed complete.

d. Review by Boards and/or Commissions

1. 180-day Review

Pursuant to G.L. c. 43D, § 5(a) and 400 CMR 2.09, all permit reviews shall be completed and final decisions rendered for Priority Development Site projects within 180 days

following either (a) mailing of a certified notice of completeness by the Technical Review Team or (b) the expiration of twenty (20) business days from the date of submittal of a Priority Development Site Application and application(s) without notice from the Technical Review Team.

2. Scope

In accordance with G.L. c. 43D, for Priority Development Site projects, there shall be an expedited review of any application for a formal determination, order of conditions, license, certificate, authorization, registration, plan approval, zoning relief or other approval or determination with respect to the use, development or redevelopment of land, buildings and/or structures. Approvals sought in accordance with the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land and building permits or approvals are exempt from the 180-day decision deadline.

3. Extensions

The 180-day decision deadline may be extended by an applicant for good cause shown, upon written request of the applicant or of any board or commission with the consent of the applicant. Following written notice to the applicant and the applicable board and/or commission, said deadline may be extended for up to thirty (30) days if the Board of Selectmen determines, within 150 days following the issuance of a notice of completeness, that a previously unidentified permit or approval is necessary. Following written notice to the Executive Office of Economic Development and Interagency Permitting Board, said deadline may be extended by the Board of Selectmen if: (a) action by a federal, state or other municipal government agency is required for board and/or commission action; (b) pending judicial proceedings affect the ability to proceed on an application; or (c) enforcement proceedings have been commenced that may affect an application.

4. Automatic Grant of Approval

Failure of any board or commission to take final action on an application within the 180-day decision deadline shall be considered a grant of the relief requested by the applicant. Within fourteen (14) days following the expiration of said deadline, an applicant shall be required to file an affidavit with the Town Clerk attaching the application, providing the facts giving rise to the grant and stating that notice thereof was provided by certified mail to all parties to the proceedings and those otherwise entitled to notice.

e. Appeals

An appeal from any decision rendered by a board or commission for a Priority Development Site project, or from an automatic grant of approval as per Section d(4), above, shall be filed no later than twenty (20) days following issuance of the final permitting decision or the conclusion of the 180-day decision deadline, as extended, whichever is later. In accordance with G.L. c. 43D, § 10 and 400 CMR 2.13 said appeal shall be brought and consolidated the Division of Administrative Law Appeals.

Article 22. Planning Board Report Regarding Zoning Map:

The planning board is making a report regarding the existing town zoning map and converting it to a digital GIS map for clarity. No zoning changes are being proposed as part of this article.

Finance Committee: No Recommendation as this is non-financial in nature

Article 23. Building & Facilities Committee Report Regarding Needs Study:

The Building Facilities and Construction Committee is making a report regarding the status of the Building Use Study that was funded as part of the May 1, 2006 Capital Plan.

Finance Committee: No Recommendation as this is non-financial in nature

The "Comprehensive Building Use Study" can be found at:

<http://www.douglasma.org/cdd/bfcc/reports/080325.bfcc.cbns.finalreport.pdf>



Town of Douglas
29 Depot Street
Douglas, MA 01516

BULK RATE
U.S. POSTAGE PAID
PERMIT NO. 12
DOUGLAS, MA 01516

RESIDENT

DOUGLAS, MA 01516

**Special Town Meeting
Annual Town Meeting
Monday, May 5, 2008
Douglas High School Auditorium**